

January 18, 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

UNITED STATES DISTRICT COURT

BY: MAM
DEPUTY

for

WESTERN DISTRICT OF TEXAS

AMENDED

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Fred Galvan Case Number: SA-01-CR-77 (01)-OG

Name of Sentencing Judicial Officer: Honorable Edward C. Prado, United States District Judge; Reassigned to the Honorable Orlando L. Garcia, United States District Judge on March 11, 2011

Date of Original Sentence: September 12, 2001

Original Offense: Possession of a Firearm by a Convicted Felon, in violation of 18 USC § 922(g)(1)

Original Sentence: One-hundred (100) months imprisonment; three (3) years supervised release; \$100 special assessment

Type of Supervision: Supervised Release Date Supervision Commenced: December 26, 2023

Assistant U.S. Attorney: Michael R. Hardy Defense Attorney: Molly Lizbeth Roth

PREVIOUS COURT ACTION

On March 10, 2011, a Probation Form 12C, Petition for Warrant or Summons for Offender Under Supervision, was submitted advising the Court that Mr. Galvan was arrested for new criminal conduct: Theft of Property and Failure to Identify a Fugitive with Intent to Give False Information. On February 12, 2015, Mr. Galvan's term of Supervised Release was revoked by agreed order and was sentenced to time served imprisonment to be followed by thirty-five (35) months reimposed Supervised Release.

On April 11, 2016, a Probation Form 12C, Petition for Warrant or Summons for Offender Under Supervision, was submitted advising the Court that Mr. Galvan absconded supervision. On December 7, 2017, Mr. Galvan's term of Supervised Release was revoked by agreed order and was sentenced to time served imprisonment (12 months) followed by thirty-five (35) months re-imposed Supervised Release.

On January 5, 2024, a Probation Form 12C, Petition for Warrant or Summons for Offender Under Supervision, was submitted advising the Court that Mr. Galvan failed to the U.S. Probation Office within 72 hours from release of imprisonment.

PETITIONING THE COURT

☒ **No Action: The petition is amended to include additional law violations. Warrant previously issued in this matter on January 5, 2024.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

GALVAN, Fred
SA-01-CR-77 (01)-OG
January 16, 2024
Page 2

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1.	<u>Mandatory Condition No. 1:</u> The defendant shall not commit another federal, state, or local crime.
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On December 21, 2023, Mr. Galvan was released from the Texas Department of Criminal Justice where he was serving out a state sentence. On December 21, 2023, Mr. Galvan reported to the Northern District of Texas, Dallas Division, without the Western District of Texas being notified.

On January 14, 2024, Mr. Galvan was contacted by law enforcement in West Tawakoni, Texas located in the Northern District of Texas. According to the police report, on January 14, 2024, at approximately 9:20 PM, a West Tawakoni police officer was dispatched to 1017 Redoak Drive in West Tawakoni for a possible disturbance. A third-party caller called 9-1-1 stating her friend called her and was yelling for help and to contact the police. The phone was disconnected, and dispatch was unable to make contact. The officers arrived on scene and knocked on the door. A few minutes later a male subject came out of the trailer and approached the officer at their patrol unit. He was subsequently identified as Freddy Galvan. Mr. Galvan advised that he and his girlfriend were in a verbal argument. Due to the weather conditions, I placed Mr. Galvan in my squad car while the officers were continuing the investigation into the possible assault that took place. EMS and West Tawakoni Fire arrived on scene to check out the victim's injuries. The officer went into the residence and spoke with the victim, identified as Michelle Black, concerning the incident at hand.

Ms. Black advised Mr. Galvan had been continuously punching her in the face. The officer noticed dry blood on her chin and questioned where the blood came from. The victim stated the blood was a result of Mr. Galvan punching her and showed the officer her busted upper lip. Each time, Mr. Galvan would try to pick her up, but he continued to drop her on her head. The victim reported she yelled to her "Alexa" to call her friend. Once Alexa connected to the victim's friend, she yelled for her to help and to call the police. At this point, Mr. Galvan ripped the Alexa out of the wall so she could not use it again. The victim reported Mr. Galvan kept attempting to pick her up by her shirt which was choking her and popping the buttons off of her shirt. The victim attempted to kick and claw to get him away. The victim reported she eventually pretended to be unconscious in hopes that police would arrive soon. The victim wanted Mr. Galvan charged criminally. The victim was transported to the hospital for evaluation of her injuries by Hunt County EMS.

Mr. Galvan was arrested and charged with Assault Causing Bodily Injury/Family/Previous Convictions, in violation of the Texas Penal Code 22.01 (b)(2)(A), a 3rd Degree Felony. While at the jail, Mr. Galvan was issued a criminal trespass warning and advised that he was not allowed to be on the victim's property again or he would be arrested. On January 15, 2024, the officer was contacted by the victim concerning Mr. Galvan's continuous calls to her from the jail. She also advised the officer that her injuries consisted of lacerations and a concussion. The victim is also on disability for PTSD and depression and has other medical conditions.

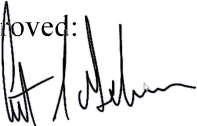
GALVAN, Fred
SA-01-CR-77 (01)-OG
January 16, 2024
Page 3

U.S. Probation Officer Recommendation: Mr. Galvan was commenced his term of supervised release on December 21, 2023, upon release from the Texas Department of Criminal Justice in the Northern District of Texas, Dallas Division. Mr. Galvan is a high risk, criminal history category VI offender, with a history of serious assaultive offenses. Given Mr. Galvan new felony arrest for Assault Causing Bodily Injury/Family/Previous Convictions, it appears Mr. Galvan has little desire to comply with the conditions imposed by the Court. Due to Mr. Galvan's new felony arrest, the probation office respectfully recommends a Mr. Galvan's supervised release be revoked. On January 5, 2024, a warrant was previously issued by the Honorable Court.

- ☒ The term of supervision should be
- ☒ revoked. (Maximum penalty: 10 months imprisonment; 22 months supervised release on each of Counts One and Two; and payment of any unsatisfied monetary sanction previously imposed)
- ☐ extended for ___ years, for a total term of ___ years.

- ☐ The conditions of supervision should be modified as follows:

Approved:



Arthur R. Galvan
Supervising U.S. Probation Officer
Telephone: (210) 472-6590, Ext. 5315

Respectfully submitted,



Stefanie A. Colburn
Senior U.S. Probation Officer
Telephone: (210) 472-6590, Ext. 5335
Date: January 16, 2024

cc: Eric Fuchs
U.S. Attorney's Office

Brenda Trejo-Olivarri
Assistant Deputy Chief U.S. Probation Officer

THE COURT ORDERS:

- ☐ No action.
- ☐ The issuance of a warrant
- ☐ The issuance of a summons.
- ☒ Other **The petition was amended to remove a violation and add a new law violation. The warrant was previously issued in this matter on January 5, 2024. Galvan is currently in state custody.**



Honorable Orlando L. Garcia
U.S. District Judge

01/18/2024

Date